

The Religious Freedom Amendment and 'Separation of Church and State'

Question: Does this violate 'separation of church and state'?

Answer: No, not in the proper meaning of that term. Unfortunately, those who are intolerant of other people's religion have distorted what this phrase correctly should mean, and have persuaded our courts to distort the First Amendment in the process. Under their approach, as government expands into more aspects of life, religion must be pushed aside, to assure that 'separation.'

The Chief Justice of the U. S. Supreme Court, William Rehnquist, has dissented from what the full court has done. As Rehnquist wrote in his official dissent, the wrongful focus on the term 'separation of church and state' has caused a *“. . . mischievous diversion of judges from the actual intentions of the drafters of the Bill of Rights. . . . The 'wall of separation between church and State' is a metaphor based on bad history, a metaphor which has proved useless as a guide to judging. It should be frankly and explicitly abandoned."*

Rather than 'abandon' the term, the Religious Freedom Amendment focuses on the original and correct meaning of it. The correct standard is the First Amendment, which states *"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."* Unfortunately, the First Amendment's true meaning has been corrupted and ruined by decades of bad Supreme Court interpretations.

As Chief Justice Rehnquist wrote of the First Amendment: *"The evil to be aimed at, so far as [its drafters] were concerned, appears to have been the establishment of a national church, and perhaps the preference of one religious sect over another, but it was definitely not concern about whether the Government might aid all religions evenhandedly."*

The Religious Freedom Amendment follows this correct and original meaning of the First Amendment, whose elegant language has been hopelessly corrupted by court misinterpretations. For more information, go to <http://religiousfreedom.house.gov>

(All quotations are from Chief Justice Rehnquist's dissent in *Wallace v. Jaffree*, 472 U.S. 38 (1985), in which the Supreme Court invalidated a law to permit a moment of silence at public school, because it expressly permitted silent prayer.)

The Religious Freedom Amendment (House Joint Resolution 78)

"To secure the people's right to acknowledge God according to the dictates of conscience: Neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage or traditions on public property, including schools, shall not be infringed. Neither the United States nor any state shall require any person to join in prayer or other religious activity, prescribe school prayers, discriminate against religion, or deny equal access to a benefit on account of religion."